

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 2834**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masayuki TAKENAKA et al.

Group Art Unit: 2834

Application No.: 10/800,867

Examiner: H. NGUYEN

Filed: March 16, 2004

Docket No.: 118363

For: DRIVE SYSTEM INCLUDING ELECTRIC POWER DEVICES

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the September 5, 2006 Office Action and the December 20, 2006 personal interview, the period for response being extended by the attached Petition for Extension of Time, reconsideration of the above-identified application is respectfully requested.

Claims 1-25 are pending.

Applicants appreciate the courtesies shown to Applicants' representatives by Examiners Nguyen and Le in the December 20, 2006 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Claims 1, 18, 23 and 24 were rejected under 35 U.S.C. §102(e) over Uchida et al. (Uchida), U.S. Patent No. 6,833,641. The rejection is respectfully traversed.

As agreed during the personal interview, Uchida fails to disclose a drive system with a drive case having a plurality of case segments that are connected to each other at mating

surfaces thereof, as recited in claim 1. Uchida fails to disclose case segments that are connected at mating surfaces because Uchida's Fig. 6 only discloses an integral, one-piece drive case.

It is respectfully requested that the rejection be withdrawn.

Claims 2, 15-22 and 25 were rejected under 35 U.S.C. §103(a) over Uchida in view of Hara et al. (Hara), U.S. Patent No. 6,323,613, and claims 3-14 were rejected under 35 U.S.C. §103(a) over Uchida in view of Hara and Tsuruhara, U.S. Patent No. 6,218,747. The rejections are respectfully traversed.

As discussed during the personal interview, Uchida cannot be applied in a rejection under 35 U.S.C. §103(a). Uchida only qualifies as prior art under 35 U.S.C. §102(e) and is commonly assigned to Aisin AW Co., Ltd. Accordingly, Uchida cannot be applied in a rejection under 35 U.S.C. §103(a) in accordance with 35 U.S.C. §103(c). Hara and Tsuruhara alone fail to disclose or suggest all of the features recited in claim 1.

It is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiners believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiners are invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:SMS/sxb

Attachment:

Petition for Extension of Time

Date: December 29, 2006

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